

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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In re Terrorist Attacks on September 11, 2001 )

MDL No. 1570

THOMAS BURNETT, *et al.*, )

Civil Action No. 03-9849 (SDNY)

Plaintiffs, )

v. )

Civil Action No. 1:02cv01616 (DDC)

AL BARAKA INVESTMENT AND )  
DEVELOPMENT CORPORATION, *et al.*, )

Judge Robertson

Defendants )  
\_\_\_\_\_)

**DECLARATION OF ABDULAZIZ H. AL FAHAD**

I, Abdulaziz H. Al Fahad, declare as follows:

1. This declaration is being given at the request of United States counsel for Shaikh Mohammad Abdullah Aljomaih to provide translations of documents and in connection with other matters of fact. I have been retained by Shaikh Aljomaih and am being compensated for my work in this case.

2. I am a lawyer admitted to practice in the Kingdom of Saudi Arabia. I was born and raised in Saudi Arabia, and received my post secondary school education in the United States. I received a B.A. degree in economics from Michigan State University in 1979, an M.A. in

International Relations from the Johns Hopkins School of Advanced International Studies in 1980, and a J.D. degree from Yale Law School in 1984. During 1984 - 85, I was a Post-Doctoral fellow at the Harvard Center for Middle Eastern Studies and a Research Fellow at Harvard Law School.

3. Currently I am the principal of the Law Office of Abdulaziz H. Fahad in Riyadh, in affiliation with the United States law firm of Akin, Gump, Strauss, Hauer & Feld. I am a member of the Academic Committee, Legal Experts Commission, Council of Ministers (which is charged with translating official government documents), was a member of the Advisory Commission of the Supreme Economic Council (1999-2003), and a member of the International Trade Committee of the Council of Saudi Chambers of Commerce and Industry. I have occasionally taught and written on Middle Eastern law, politics, and economics. I am also a licensed Arabic to English translator, holding License No. 138 issued by the Ministry of Commerce of the Kingdom of Saudi Arabia.

4. I have been asked to provide a translation of portions of the document which is Attachment A to this affidavit. I am advised by U.S. counsel that plaintiffs' counsel in this case have referred to this document as "the Golden Chain."

5. Attachment A appears to be handwritten. It is undated. It is not signed and there is nothing else to indicate who wrote it or when it was written. Nothing in the document can be translated as "golden chain." An English translation of the language at the top of the document is as follows:

"In the name of God, the Compassionate, the Merciful."

"And spend in the cause of God."

6. The remainder of the document, both the main text and entries written vertically on the left side, appears to be a numbered list of names. For each name, another name is listed in parentheses. The entry numbered 8 reads as follows in English

“Al-Jumaih, Jeddah (Batarji)”

7. Nothing in Attachment A says that people with the names listed have provided money or support to anyone or anything, or have been asked to do so. After the initial language, Attachment A is simply a list of names.

8. As noted, the listing of the name “Al-Jumaih,” also includes the notation “Jeddah.” Jeddah (or Jidda) is a city in Saudi Arabia, which is located in the west of the country on the Red Sea coast. In all of Attachment A, only the “Al-Jumaih” listing also names a city, although one other entry says the word “Kuwait” without any name.

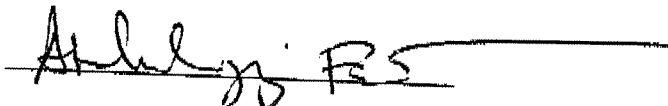
9. Based on my professional relationship with Mohammad Abdullah Aljomaih, I know that he does not live in Jeddah. As an affidavit he submitted earlier in this case indicates, Mohammad Abdullah Aljomaih now lives in Riyadh, which is about 600 miles from Jeddah, and he has lived there for at least the last 40 years. I do not believe he has ever lived in Jeddah.

10. In an affidavit which was submitted on behalf of Mr. Aljomaih’s Motion to Dismiss, I noted that notices published by the plaintiffs in the Al-Quds Al-Arabi newspaper, which were submitted to the Court on August 8, 2003 in a Notice of Service by Publication, did not include the name “Mohammed bin Abdullah Al-Jomaih,” nor did they mention anyone else named Al-Jomaih. I am advised by U.S. counsel that plaintiffs counsel insist that Mr. Aljomaih’s name is in fact in the Al-Quds notice and that they say it is “second to last in the middle column” of that notice.

11. In light of the comments of plaintiffs' counsel, I have re-examined the Al Quds notice. I believe plaintiffs' counsel are incorrect in saying it lists Mohammed bin Abdullah Al-Jomaih. The proper Arabic rendition of his last name is "الجميع". What appears in the place identified in the Al Quds notice is "الجمعة". For an Arab reader, these are significantly different words. It is difficult to express in English the phonetic difference between these two words. In one standard transliteration system, Mr. Aljomaih's name would be Al-Jumayh (consisting of three consonants, one long vowel, and two short vowels, excluding the definite or family article Al), while the entry in Al Quds would be Al-Jum'ah (consisting of four consonants, two short vowels and no long vowels, excluding the definite or family Al; only two consonants are common to the two names). As a rough analogy, the difference is something like the difference, in English, between "Frederick" and "Friday." No native speaker would conclude that these two entries represent the same name, with one merely misspelled. Finally, the name that appears in Al-Quds does not correspond to the name in the so-called "golden chain."


I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct

KINGDOM OF SAUDI ARABIA  
PROVINCE OF RIYADH  
CITY OF RIYADH  
EMBASSY OF THE UNITED STATES  
OF AMERICA

  
Abdulaziz H. Fahad

Executed on March 8, 2004 in Riyadh, Saudi Arabia

I certify that on this <sup>8<sup>th</sup></sup> day of MARCH, 2004  
ABDULAZIZ H. AL-FAHAD  
appeared before me and, being duly sworn, made the  
statements set forth in this instrument.

  
CHARLES L. GLATZ, JR.  
CONSUL OF THE  
United States Of America

- 4 -

Doc. #1310980 v.1-3/8/04 12:02 PM

Attachment A

۱- رتبه اول (بزرگوار) (از اکر)  
 ۲- رتبه دوم (مستوفی) (از اکر)  
 ۳- رتبه سوم (مستوفی) (از اکر)  
 ۴- رتبه چهارم (مستوفی) (از اکر)  
 ۵- رتبه پنجم (مستوفی) (از اکر)  
 ۶- رتبه ششم (مستوفی) (از اکر)  
 ۷- رتبه هفتم (مستوفی) (از اکر)  
 ۸- رتبه هشتم (مستوفی) (از اکر)  
 ۹- رتبه نهم (مستوفی) (از اکر)  
 ۱۰- رتبه دهم (مستوفی) (از اکر)